

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION**

UNITED STATES OF AMERICA)	Criminal No. 4:15CR00868-RBH
)	
vs.)	ORDER OF CONTINUANCE
)	
MICHAEL LANE PREVETTE)	
BRIAN KEITH PERDUE)	

A pretrial conference in this matter was held on February 29, 2016. The defendants made an oral motion, with consent of the government, to continue this case until the Court's next scheduled term. The defendants verbally acknowledged on the record that they are waiving their rights under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

Based on the representations made by the parties and the file, the Court finds, pursuant to 18 U.S.C. § 3161(h)(7)(A), that the ends of justice served by the granting of a continuance outweigh the best interests of the public and the defendant in a speedy trial. In reaching this conclusion, the Court has considered the following factor(s) under 18 U.S.C. § 3161(h)(7)(B):

☐ (i) The failure to grant a continuance in the proceeding would be likely to make a continuation of the proceeding impossible, or result in a miscarriage of justice.

(ii) The case is so unusual or so complex due to

- ☐ the number of defendants,
- ☐ the nature of the prosecution, or
- ☐ the existence of novel questions of fact or law,

that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by this section.

(iii) In a case in which arrest precedes indictment, delay in the filing of the indictment is caused

- ☐ because the arrest occurs at a time such that it is unreasonable to expect return and filing of the indictment within the period specified in section 3161(b), or
- ☐ because the facts upon which the grand jury must base its determination are unusual or complex.

(iv) The failure to grant such a continuance in a case which, taken as a whole, is not so unusual or so complex as to fall within clause (ii), but

- ☐ would deny the defendant reasonable time to obtain counsel,
- ☐ would unreasonably deny the defendant or the Government continuity of counsel, or
- ☒ would deny counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

☐ (v) Other (Specify: _____).

For all the foregoing reasons, the motion for a continuance is **GRANTED**. It is hereby **ORDERED** that this case shall be continued until the Court's next scheduled term, and that all such period of delay is hereby excluded in computing the time within which trial must begin pursuant to the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

IT IS SO ORDERED.

s/R. Bryan Harwell
R. Bryan Harwell
United States District Judge

Date: February 29, 2016.
Florence, South Carolina